

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
BECKLEY DIVISION**

MICHAEL D. ROSE, *et al.*,

Plaintiffs,

V.

JEFF S. SANDY, *et al.*,

Defendants.

Civil Action No. 5:22-cv-00405
(Judge Volk)

MOTION FOR CLASS CERTIFICATION

COME NOW Plaintiffs, by undersigned counsel, and, pursuant to Rule 23 of the *Federal Rules of Civil Procedure* and this Court's Order [ECF 225], hereby moves this Honorable Court for certification of a class. Specifically, Plaintiffs seek certification of a class pursuant to Rule 23(b) based upon the satisfaction of all necessary prerequisites. In the alternative, Plaintiffs seek certification of an issue-based class pursuant to Rule 23(c). In further support of their motion Plaintiffs incorporate herein by reference the accompanying memorandum of law.

**MICHAEL D. ROSE, et al.,
By Counsel**

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CERTIFICATE OF SERVICE

The undersigned counsel for Plaintiffs hereby certifies that a true and correct copy of the foregoing *Plaintiffs' Motion for Class Certification* was filed with the clerk on August 9, 2023 via the Court's CM-ECF Filing System which will provide electronic notification to all counsel of record.

/s/ Amanda J. Taylor
Amanda J. Taylor (WVSB#11635)